

COMMERCIAL MOTOR VEHICLE OPERATORS & THE LAW



A driver with a Class A, B, or C Commercial Driver License (CDL) is automatically licensed to operate both commercial and private (non-commercial) motor vehicles using one driver license. However, if the driver commits an offense that requires the suspension or revocation of his or her driver license, the driver will lose all driving privileges, including commercial driving privileges.

A CDL holder, whose license is downgraded, suspended or revoked cannot drive any Commercial Motor Vehicle (CMV) during the period of downgraded, suspension or revocation. The CDL holder can only apply for limited driving privileges to operate private (non-commercial) vehicles.

All commercial license or permit applicants must present two acceptable documents for verification of Missouri residence. For a complete list of acceptable documents go to www.dor.mo.gov.

Effective February 7, 2022 all entry level CDL drivers, drivers upgrading classification, and drivers adding hazardous materials, passenger or school bus endorsements, must complete an approved certified driver training program. The program must be certified by the Federal Motor Carrier Safety Administration pursuant to regulations defined in 49 CFR 380. Refer to <https://www.fmcsa.dot.gov/registration/commercial-drivers-license/eldt> for additional information.

For questions regarding Commercial Driver Licenses, call (573) 526-2407 or email dlbmail@dor.mo.gov

Commercial Driver's Driving Record History

A commercial driver's driving history travels with the driver when he or she moves from state to state. A driver's history, prior to coming to Missouri, is shown on the Missouri driving record under "Informational Driving History." If serious or disqualifying traffic offenses are contained in the informational driving history and additional offenses are committed while licensed as a Missouri driver, all offenses in the informational driving history and the current offenses are used (evaluated) to determine if a disqualification of the commercial driving privilege is required.

Drug and Alcohol Clearinghouse (DACH)

In accordance with 49 CFR §383, upon application for a CDL or CLP, the license agency will submit an inquiry to the DACH as part of any CDL or CLP application. If the response from the DACH indicates the applicant is in prohibited status, the new, renewal or duplicate application will be denied. The driver must complete return to duty requirements as required by federal regulation and have their status updated in the DACH to be eligible to complete a CDL or CLP application. Drivers who remain in a prohibited status will be limited to a noncommercial application only.

Current MO CDL or CLP holders are also subject to the provisions of the DACH. The Department of Revenue will receive an automatic notice from the DACH when a current MO CDL or CLP holder is updated with a prohibited status. Upon posting of the status the driver is prohibited from operating a CMV. Upon notice of the prohibited status, the driver's commercial status will be downgraded on the Missouri driver license record. Notice of the downgrade action will be mailed to the driver. The commercial status will remain downgraded until the driver completes the mandatory return to duty steps, and they are no longer showing as prohibited in the DACH. Upon completion of return to duty requirements an automatic notification will be sent to the licensing agency and immediate action will be taken to restore an otherwise eligible driver's commercial status.

CDL with Hazardous Materials Endorsement

Persons applying for a new or renewal CDL with a hazardous materials (HazMat) endorsement must submit proof of completion of the HazMat knowledge exam and must have an approved, fingerprint based, security threat assessment on file with the Transportation Security Administration (TSA). HazMat endorsement holders will be issued a license with an expiration date not to exceed the end date of the assessment, as defined by the TSA.

CDL License with School Bus Endorsement

Persons operating a school bus owned or under contract with a public or private school must meet additional school bus endorsement driver history requirements and must have completed the knowledge and skills exams to obtain a

passenger (P) and school bus (S) endorsement on their CDL. Prior to operating a school bus for a public school district in Missouri drivers must meet additional medical and criminal history background check requirements through their employer. Persons operating a non-commercial class vehicle transporting students for a public school district may be required to complete required knowledge and skills testing to obtain a Class E license with an S endorsement.

Medical Certification

Persons applying for a new, renewal, duplicate CDL, or CLP must self-certify to one of the following operation categories at the time of issuance: Nonexcepted Interstate; Nonexcepted Intrastate; Excepted Interstate; or Excepted Intrastate. Persons operating in a nonexcepted category must provide a valid Medical Examiner's Certificate at the time of application. Additionally, persons requiring a medical certificate must maintain a valid certificate on file to retain a valid CDL status. Failure to submit an updated medical certificate or submit an updated self-certification statement through a local license office on or before the expiration date of the current certificate on record, will result in a "downgrade" of the commercial license or permit, and the commercial status will be marked as canceled. Refer to the Department's website at dor.mo.gov for detailed descriptions and other information about medical certification.

Checks Before Issuance of a Driver License or Permit

Prior to issuance of any new, renewal, or duplicate license or permit, a state shall request information from the National Driver Register and the Commercial Driver License Information System (CDLIS) regarding the individual's driver status. For CDL or CLP applicants the state of issuance must obtain information from any other state that has issued a driver license to the individual, and post the informational driving history to the Missouri record and mark on the record that the request for ten year driving history check has been completed.

Commercial Learner's Permit

Applicants wanting to obtain a new CDL or upgrading a current CDL requiring skills testing must hold a commercial learner's permit (CLP) for the class of vehicle in which they will be training and testing, for a minimum of 14 days prior to skills testing. Applicants must hold a valid Missouri base driving privilege to be eligible to apply for a Missouri CLP. Federal regulation prohibits the transfer of a CLP from another state to Missouri. An applicant holding a CLP from another state must complete all applicable commercial written testing to obtain a new CLP. The applicant must then apply for the Missouri base privilege license and CLP. No credit is allowed for the prior state's permit issuance term.

POINT ACCUMULATION AND ACTION AGAINST DRIVER:

8 points in 18 months	License revoked for 1 year
1 st suspension – 30 days	12 points in 12 months
2 nd suspension – 60 days	18 points in 24 months
3 rd or more – 90 days	24 points in 36 months

POINT VIOLATION EXAMPLES:

2 points - Drive While Disqualified, Failure to Keep Right, Improper Lane Failure or Improper Signal, Following Too Close, No Commercial Driver License

3 points - Excessive Speeding

Disqualifications

A disqualification is a loss of only commercial driving privileges for a specified period of time. During a disqualification if the driver is not otherwise suspended or revoked, he or she can continue to drive private (non-commercial) motor vehicles without obtaining limited driving privileges. When a driver receives multiple disqualifications, they must serve one disqualification period before the next disqualification starts.

Failure to Appear (Non-Member States)

If a Missouri commercial driver fails to appear in court or pay for a traffic ticket received in a non-member state, Missouri will disqualify the driver upon notification from that state. The disqualification will remain in effect until Missouri receives notification that the driver has satisfied the ticket. The non-member states are Alaska, California, Michigan, Montana, Oregon, and Wisconsin.

60 Days

- Two serious traffic convictions* within three years if person is a CDL holder or if person is operating a CMV.
- One railroad-highway grade crossing violation while person is operating a CMV.

120 Days

- Three or more serious traffic convictions* within three years if person is a CDL holder or if person is operating a CMV.
- Second railroad-highway grade crossing violation while person is operating a CMV.

180 Days

- First traffic conviction for violating an out-of-service order while person is operating a CMV.

- First traffic conviction for violating an out-of-service order while operating a CMV and transporting hazardous materials or transporting 15 passengers or more.

1 Year

- Driving a CMV with a BAC of 0.04% or higher.
- Driving while under the influence of alcohol or drugs if the person is a CDL holder or if person is operating a CMV.
- Refusing blood or breath test if the person is a CDL holder or if person is operating a CMV.
- Failing to stop at the scene of an accident that involved your CMV if the accident causes injury or death.
- Using a CMV to commit a felony.
- Driving a CMV with a revoked, suspended, canceled, or disqualified privilege.
- Causing a fatality through the negligent or criminal operation of a CMV (including crimes of motor vehicle manslaughter, homicide by motor vehicle, and negligent homicide).
- Making a false statement on any application for a CDL.
- Third or subsequent railroad-highway grade crossing violation within three years while operating a CMV.

2 Years

Second traffic conviction within ten years for driving a CMV while out-of-service.

3 Years

- First conviction for any one of the top seven violations listed under 1-year disqualification while transporting hazardous materials.
- Third or subsequent conviction within ten years for violating out-of-service orders while operating a CMV.
- Second or subsequent conviction within ten years for violating an out-of-service order while operating a CMV and transporting hazardous materials or transporting 15 passengers or more.

Lifetime

- Second conviction for any one of the top seven violations listed under 1-year disqualification.
- First conviction of a felony involving an act or practice of severe forms of trafficking in persons.

Not eligible for 10-year reinstatement.

- First conviction for using a CMV in the manufacture or illegal distribution of drugs. Not eligible for 10-year reinstatement.

Imminent Hazard Disqualification (not to exceed one year)

- Determination by the Federal Motor Carrier Safety Administration that a person's driving constitutes an imminent hazard.

Masking of Traffic Violations for CDL Drivers Not Allowed

Courts are no longer allowed to defer imposition of sentence, or allow a CDL holder or person required to have a CDL to enter into a diversion program that would prevent a conviction regarding traffic control laws, in any type of vehicle, from appearing on the person's driving record.

Driver Improvement Programs

Driver improvement programs will not be allowed by any person for any offenses committed in a CMV or by any CDL holder whether the offenses are committed in a non-commercial or commercial motor vehicle.

Limited Driving Privileges

Limited Driving Privileges (LDP) will not be issued to operate a CMV during any period of suspension, revocation, cancellation, or disqualification. Limited driving privileges:

- Allow continued driving in a "non-commercial vehicle" for employment or specified reasons during a period of suspension or revocation.
- Applications may be obtained at local contract license offices, or a petition may be filed with the court in the county of residence or employment.

*Serious traffic convictions include reckless driving, speeding 15 mph or more above the speed limit, improper or erratic lane changes, following too closely, and any moving violation relating to a fatal crash.

Serious traffic convictions also include driving a CMV without obtaining a CDL, driving a CMV without CDL in possession, driving a CMV without proper class of CDL or endorsement or restrictions, driving a CMV while using a hand-held mobile phone, and driving a CMV while texting.